



Section 5 Declaration - Application Form

Declaration as to whether development constitutes Exempted Development

Please read “Guidance Notes” before completing this form

Guidance Notes

1. The purpose of Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not development and if it is or is not exempted development within the meaning of the Planning Act.
 - (a) A person seeking a determination must ensure under Question 7 (of the application form below) that a question is posed and that the question is clear, for example, is the construction of a shed development and is it or is it not exempted development. Details are then required of the shed so the planning authority can determine if the shed is exempt.
 - (b) The question to be determined should be clear as to whether it relates to an existing development or a proposed development. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.
 - (c) If the question is not clear to the Planning Authority, the Section 5 application will be returned as invalid.
2. Any person may, on payment of the prescribed fee, currently €80.00 request in writing from the Planning Authority a declaration on a question as whether a particular type of development is exempt.
3. The Planning Authority is required to make a decision within 4 weeks of receipt of a valid Declaration Request however the Planning Authority can also request Additional Information if it is considered that insufficient information has been submitted.
4. Any person issued with a declaration may, on payment to the Board of such fee as may be prescribed, currently €220.00 refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
5. A planning authority is required to consider whether the development or proposed development identified in the request would be likely to have significant effects on the environment by virtue, at the least, of the nature, size or location of such development.

Section 5 Declaration - Application Form

1. Name and address of person seeking the declaration:



2. Name and address of agent (if any):

N/A

Phone Number: _____ E-Mail: _____

3. Name and address for all correspondence (if not completed, correspondence will be sent to person seeking declaration)

As above

4. Interest in site of the person seeking declaration:

Current Chairperson, St. Fechin's G.A.A is the owner of the site.

(If applicant is not freehold owner of the property in question, please provide name and address of owner if known)

5. Location and full address of development referred to in Question 7

St. Fechin's G.A.A, Beaulieu, Termonfeckin, Co. Louth, A92 ET95

6. Eircode OR Grid Co-ordinates must be submitted. Grid references may be found on Google Maps or at

<https://irish.gridreferencefinder.com>

A92 ET95

7. Question for determination under Section 5 (See Note 1 above).

The question must be framed in the following format, i.e. Is the construction of a shed development and is it or is it not exempted development:

is the provision of aggregate stone in an existing grassed area used as a overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the G.A.A. club and which is not used for any other purpose development and is it or is it not exempted development?

8. Does the development consist of works to be carried out to an existing or proposed protected structure? Yes ☐ No ☒

If Yes, has a Declaration under Section 57 of the Planning and Development Act 2000 been requested or issued for the property by the Planning Authority?

I certify that the aforementioned is correct.

Signature of Applicant: Mal Lynam

Date 26/5/26

Please include one copy of the following documents with this application form:

- Site Location Map: (Scale 1:1000)
- Site Layout Map: (Scale 1:200 or 1:500)
- Floor Plans & Elevations: (Scale 1:50, 1:100 or 1:200)
Existing & Proposed, where applicable
- Application fee: (€80)

Completed Application Form & Fee of €80.00 may be sent to:

Planning Office, Louth County Council, Town Hall, Crowe Street,
Dundalk, County Louth, A91W20C

OR

by email to planninggroup@louthcoco.ie with contact details to arrange payment of fee.

Planning Pack Map

We St Fechin's GAA Club intend to apply for permission for development at Beaulieu, Termonfeckin, Drogheda, Co. Louth. Permission consists of the erection of a 5M high sports/ball wall together with associated synthetic playing surface and surrounding fencing, associated Flood lighting as well as all associated site works.



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 712127,777728

PUBLISHED: 12/03/2024
ORDER NO.: 50388440_1

MAP SERIES: 1:5,000
1:2,500
1:2,500
MAP SHEETS: 2255
2255-D
2256-C

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

www.tailte.ie

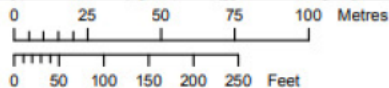
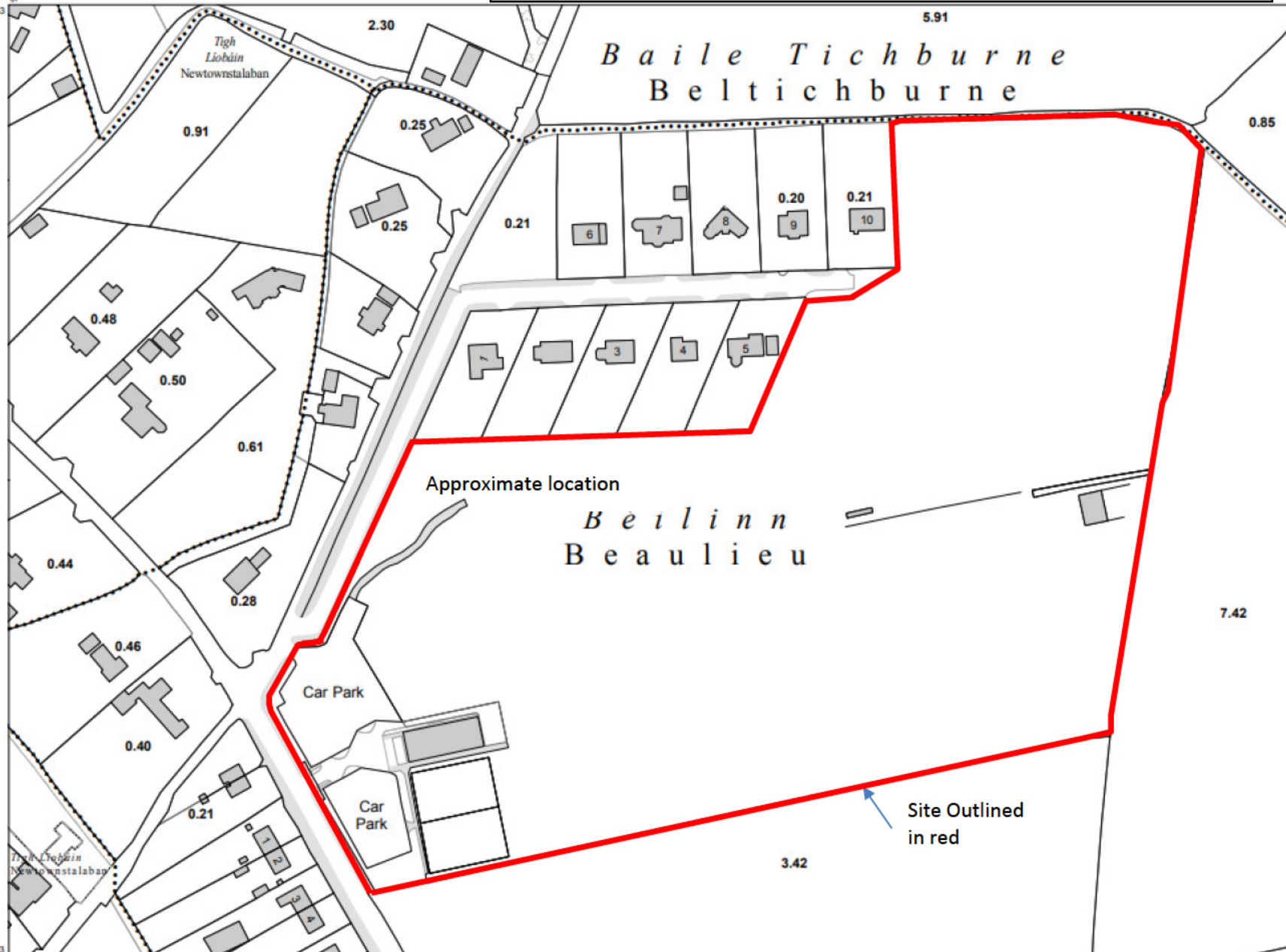
Any unauthorised reproduction
infringes Tailte Éireann copyright.

No part of this publication may
be copied, reproduced or transmitted
in any form or by any means without
the prior written permission of the
copyright owner.

The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features.

©Tailte Éireann, 2024.
All rights reserved.



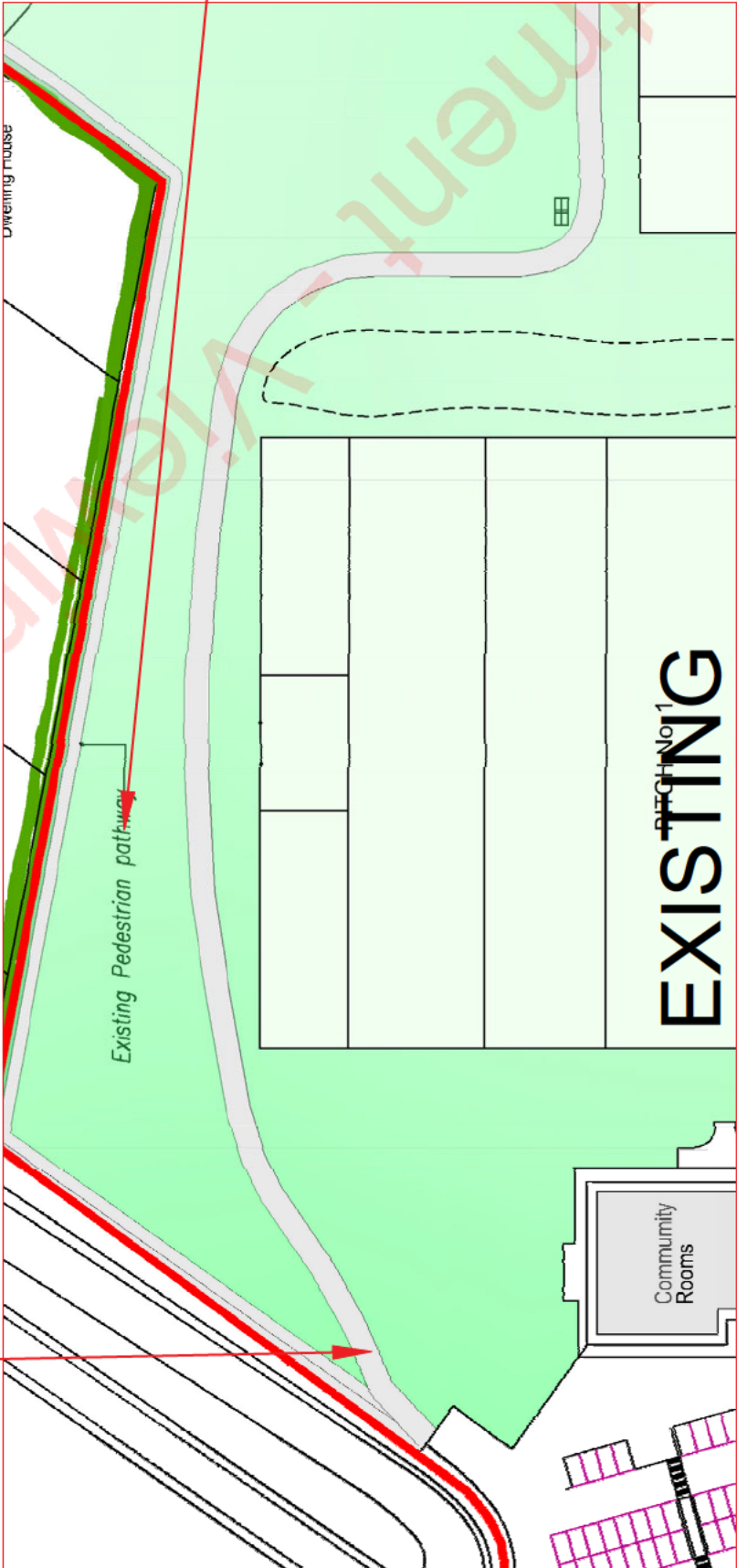
OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.tailte.ie; search 'Capture Resolution'

LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'



Existing road connects to main car park, no new access required to public road or no changes to main car park



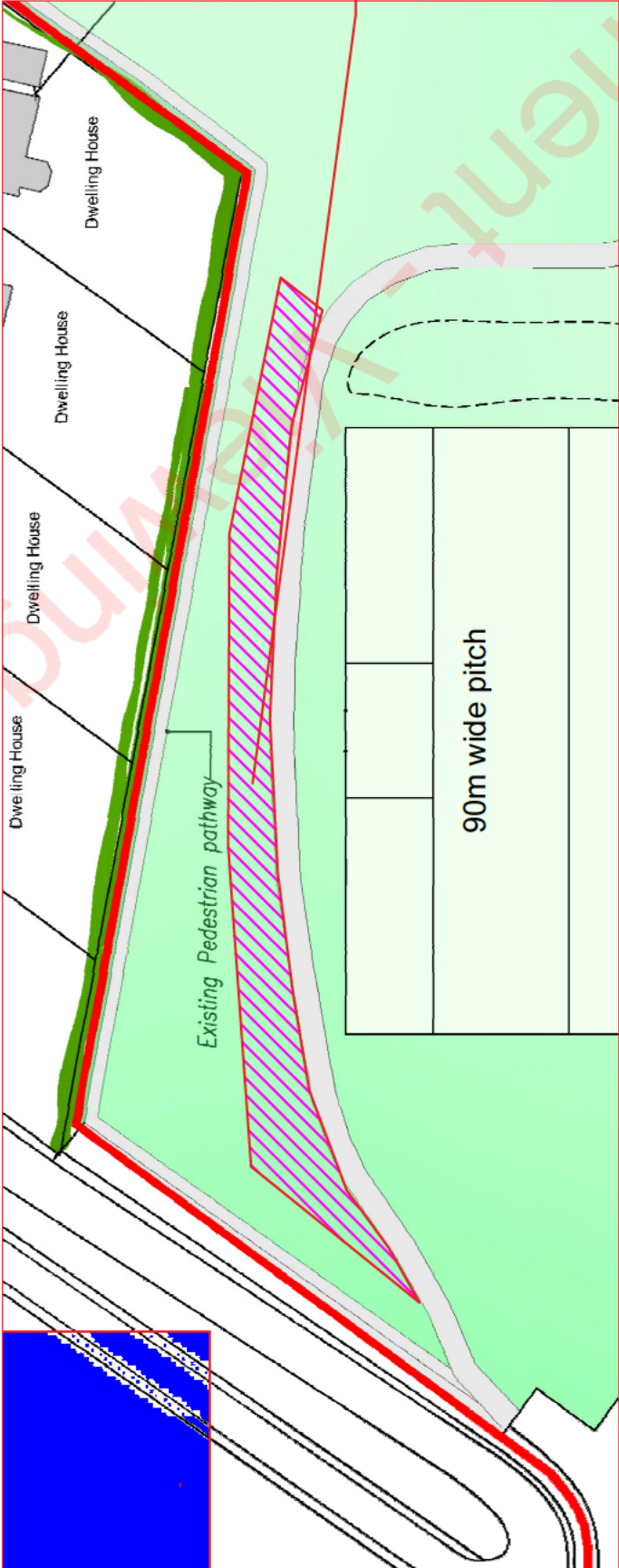
Current grassed area used for overflow parking during major events

Existing stone maintenance and emergency vehicle road



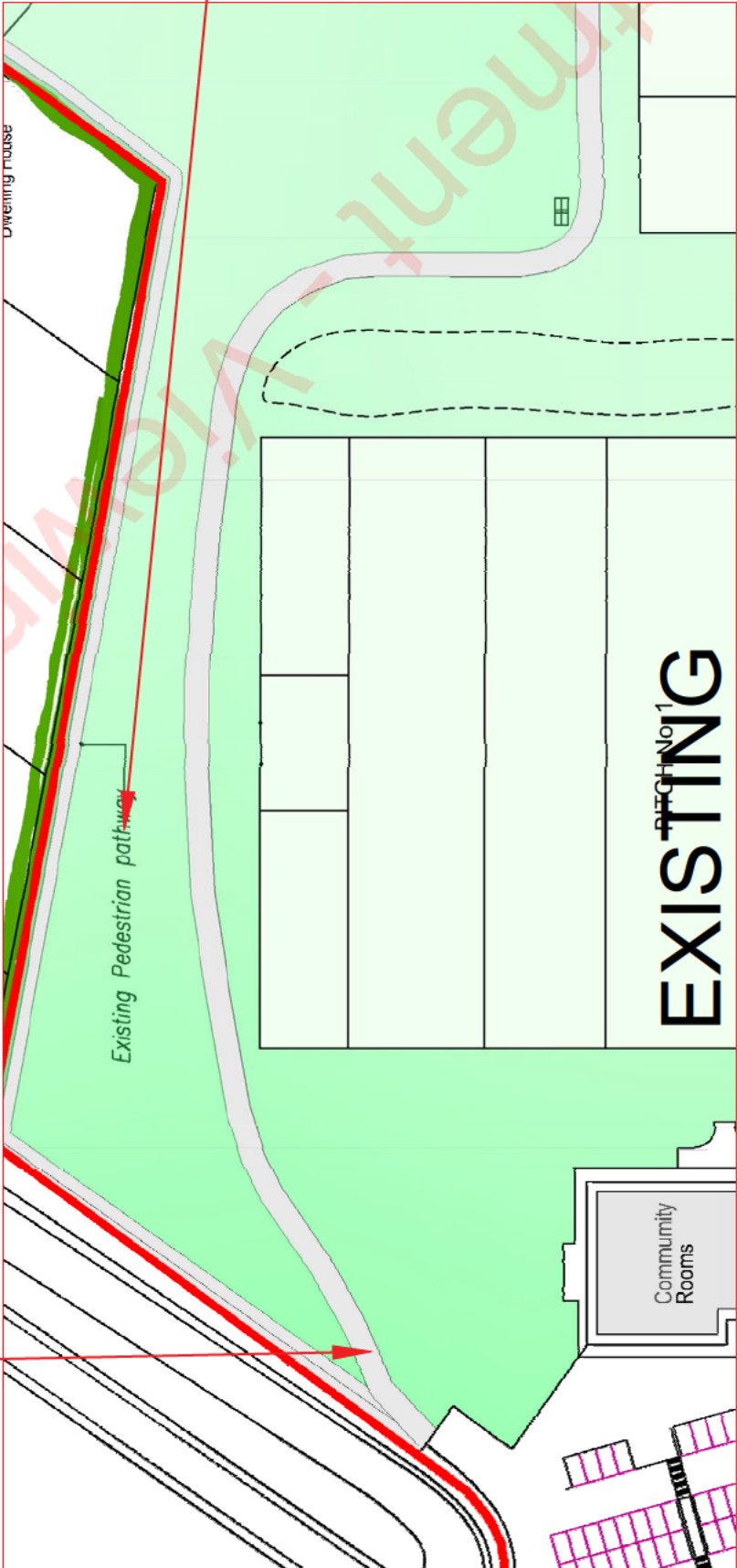
Photo of overflow car park in use

Hatched area to be striped of grass and topsoil to a depth of 150mm and replaced to the same level with CI 6F2 and CI 804 or similar stone as per TII Specification for Roadworks, Grass will regrow over time but with a solid base to prevent skidding in wet weather



PROPOSED

Existing road connects to main car park, no new access required to public road or no changes to main car park

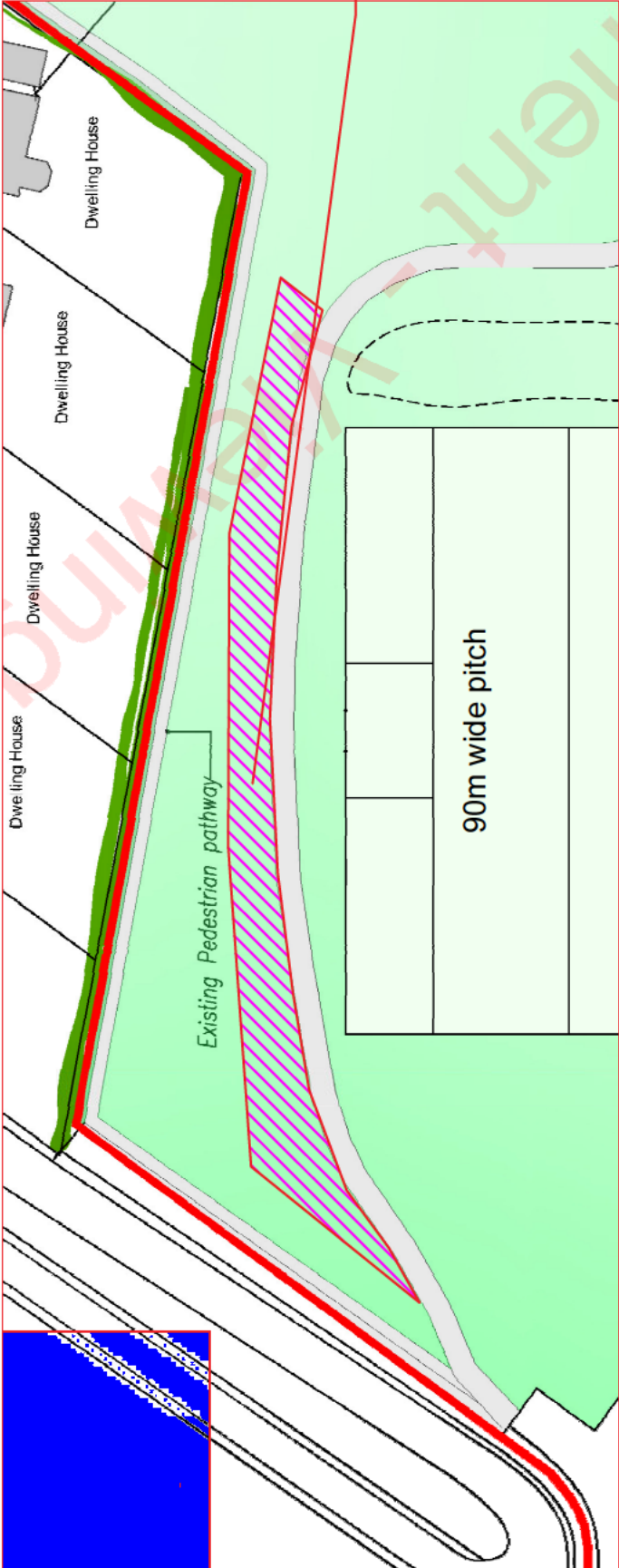


Current grassed area used for overflow parking during major events

Existing stone maintenance and emergency vehicle road



Hatched area to be striped of grass and topsoil to a depth of 150mm and replaced to the same level with CI 6F2 and CI 804 or similar stone as per TII Specification for Roadworks, Grass will regrow over time but with a solid base to prevent skidding in wet weather



PROPOSED

Louth County Council

Section 5 Declaration

Planning Ref:	2026/37
Applicant's Name:	St Fechin's GAA
Type of Application:	Section 5 Declaration
Question for Determination:	<i>Is the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is development and is it or is it not exempted development.</i>
Site Location:	St Fechin's GAA, Beaulieu, Termonfeckin, Co. Louth, A92 ET95
Site Inspection	12 th June 2026
Due Date:	23/06/2026
Report Date:	12/06/2026

1.0 SITE LOCATION & DESCRIPTION:

The subject site consists of an existing GAA club with large community centre, separate clubhouse with changing rooms, 3 grass pitches, 2 enclosed all-weather pitches and associated car parking all accessed off the L-6327-0 public road and adjacent to Beaulieu Crossroads.

2.0 Planning History

Most recent history includes: -

2560300 – GRANTED 11th August 2025

Permission for the erection of a 5M high sports/ball wall together with associated synthetic playing surface and surrounding fencing, associated pathway lighting as well as all associated site works.

2460128 – REFUSED following a 3rd Party appeal – *for permission for erection of a 5m high sports/ball wall together with associated synthetic playing surface and surrounding fencing, associated flood lighting as well as all associated site works* – proposed siting was in a more central location and was considered that the development would have a serious detrimental impact upon the adjacent residential properties.

18401 - GRANTED 5th November 2018 - The development will consist of construction of a new community centre which will incorporate a main function area, store, toilets, kitchen, offices, meeting room, reception office and plant room at ground floor level and a first floor area for future development along with all associated siteworks – COMPLETED.

3.0 QUESTION FOR DETERMINATION:

The applicant has confirmed within Question 7 of the application form that the question for determination relates to the following: -

Is the provision of aggregate stone in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is development and is it or is it not exempted development.

Therefore, the Planning Authority is considering the question for determination as: -

Is the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is development and is it or is it not exempted development.

The applicant has submitted a completed section application form, a site location map and a proposed site layout map.



Above: proposed site layout showing location and detail of stone area within the GAA grounds.



Above: proposed location

4.0 EIA Screening and Determination

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment ('the EIA Directive') is

designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of their environmental effects prior to development consent being given. The latest amendments to the EIA Directive are provided under Directive 2014/52/EU and Circular letter PL 1/2017. Based on information provided and having considered the minor nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIAR is not required.

5.0 Appropriate Assessment

The site is located 1.6km west of the Boyne Estuary SPA (site code 004080) and Boyne Coast and Estuary SAC (site code 001957). There are no direct hydrological links from the site to these European Sites. The type of stone proposed which is noted on the submitted proposed site layout plan received 27th May 2026 is to be either CI 6F2 or CI 804 or other similar stone as per TII Specification for Roadworks which are dense, graded aggregate materials designed to compact tightly, and which would restrict water flow and permeability compared with the grass that is currently there. There are no proposals for the management of surface water that would flow from this impermeable area (which is measured to be c1050m² as per the submitted site layout plan), therefore having regard to the nature and scale of the proposal and in the absence of this detail, it cannot be determined at this juncture that the proposal would not be likely to have a significant effect individually or in combination with other plans or projects on a European Site (Special Area of Conservation or Special Protection Area) as there are outstanding matters

6.0 LEGASLATIVE CONTEXT:

S.I. No. 662/2024 - The Planning and Development Act 2024 (Commencement) Order 2024

The Planning and Development Act 2024 (Commencement) Order 2024 states:

“The 2nd day of December 2024 is appointed as the day on which the following provisions of the Planning and Development Act 2024 (No. 34 of 2024) shall come into operation:

- (a) Sections 1 to 5;*
- (b) Part 26*

The Planning and Development Act 2024

Section 2 states:

“development” means—

(a) *the carrying out of works—*
(i) *on, in, over or under land, or*
(ii) *on, in, over or under the maritime area,*
Or

(b) *the making of a material change in the use of—*
(i) *land or any structure on land, or*
(ii) *the sea, seabed or any structure, in the maritime area,*
and includes the reclamation of land in the nearshore area;

“exempted development” means—

(a) *development of a class prescribed under section 9, or*
(b) *development that is exempted development by virtue of section 152 ;*

“structure” means—

(a) *a building, edifice, construction, excavation, or other thing constructed or made on, in or under any land, or a maritime site, or any part thereof, or*
(b) *the land or maritime site on, in or under which such building, edifice, construction, excavation, other thing or part is situated;*

“Works” includes an act or operation—

(a) *of construction, excavation, demolition, extension, alteration, repair or renewal (including in relation to a protected structure, a proposed protected structure or a*

structure situated in an architectural conservation area), on, in, over or under land or a maritime site,

(b) *consisting of the application of plaster, paint, wallpaper, tiles or other material to the surface of a protected structure or proposed protected structure or the removal of plaster, paint, wallpaper, tiles or other material from such surface, and*

(c) *consisting of the application of plaster, paint, wallpaper, tiles or other material to the exterior of a structure situated in an architectural conservation area or the removal of plaster, paint, wallpaper, tiles or other material from such exterior.*

The Planning and Development Act, 2000 (as amended)

Section 4:

Section 4(1) provides a list of statutory exempted development.

Section 4(2) further provides for the making of regulations by the Minister relating to exempted development. The Planning & Development Regulations (PDR) 2001 (as amended) give effect to Section 4(2).

Exempted Development

4(1) The following shall be exempted developments for the purposes of this Act-

(h) - development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 5 states:

(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

(2) (a) Subject to *paragraph (b)*, a planning authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which its decision is based to the person who made the request under *subsection (1)*, and, where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.

(b) A planning authority may require any person who made a request under *subsection (1)* to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.

(c) A planning authority may also request persons in addition to those referred to in *paragraph (b)* to submit information in order to enable the authority to issue the declaration on the question.

Section 9

Section 9 (4) states that Development (other than development that is exempted development by virtue of *subsection (1)* or (2) of *section 152*) shall not be exempted development for the purposes of this Act if—

(a) in the case of a protected structure or a proposed protected structure, it materially affects or would materially affect the character of—

(i) the structure, or

(ii) any element of the structure that contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest

(b) it is situated, or proposed to be situated, in an area of special planning control and it contravenes or would, if carried out, contravene a special planning control scheme applying to that area, or

(c) in the case of development carried out or proposed to be carried out to the exterior of a structure situated in an architectural conservation area, it materially affects or would, if carried out, materially affect the character of that area.

Section 32:

Section 32 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development, which is unauthorised, for the retention of that unauthorised development.

Planning and Development Regulations 2001, (as amended)

Article 6 (1) Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Restrictions on Exemption: Article 9

Article 9(1) Development to which article 6 relates shall not be exempted development for the purposes of the Act-

(a) if the carrying out of such development would-

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord (now Coimisiún) Pleanála is the competent authority in relation to appropriate

assessment, and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000. (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

Class 13 of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Class 13: - The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving

Condition/Limitation: - The width of any such private footpath or paving shall not exceed 3 metres.

Development for amenity or recreational purposes

Class 33: - Development consisting of the layout out and use of land –

- (a) As a park, private open space or ornamental garden,
- (b) As a roadside shrine, or
- (c) For athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.

Class 37: - Development consisting of the use of land for any fair, funfair, bazar or circus or any local event of a religious, cultural, educational, political, social, recreational or sporting character and the placing or maintenance of tents, vans or other temporary or movable structures or objects on the land in connections with such use.

Condition/limitation: -

1. The land shall not be used for any such purposes either continuously for a period exceeding 15 days or occasionally for periods exceeding in aggregate 30 days in any year.
2. On the discontinuance of such use the land shall be reinstated save to such extent as may be authorised or required by a permission under the Act.

7.0 ASSESSMENT

Do the works constitute “development”?

Having regard to the definitions set out in section 2 of the Planning and Development Act 2024, it is considered that an area covering some 1050 sq.m to be stripped of grass and topsoil to a depth of 150mm and replaced to the same level with CI 6F2 and CI 804 or similar stone as per TII Specification for Roadworks constitutes “works” as per section 2 and therefore constitutes “development” as defined in the Act.

Do the works constitute exempted development?

Class 13 of the planning and Development Regulations 2001 (as amended) provides an exemption for the construction of any private footpath or paving however the condition/limitation is that the width shall not exceed 3m. The depth of the proposal is 7m plus which therefore falls outside the parameters of Class 13. In this case, the proposal does not meet Class 13.

Regarding Class 33, whilst the proposed development is ancillary to the use of the grounds as a GAA club and to serve as an overflow car parking area, the development would not consist in the laying out of land and use of the land directly for use for athletics or sports. It is therefore considered, that in this

instance and having regard to the proposed development, that Class 33 is not applicable.

With regard to Class 37, the land outlined in red on the submitted site location map is permanently in use for GAA sports grounds with gaelic games being played and training carried out throughout the calendar year. Having regard to this, the occasional match which exceeds the permanent car park's capacity is not considered associated with a temporary event of a cultural, recreational or sporting character. Class 37 therefore does not apply to the occasional use of the land as an overspill carpark. The works would also be a permanent change from grass to an impermeable surface. It is therefore considered that Class 37 does not apply in this case.

The Planning and Development Regulations 2001 (as amended) does not contain any class of exempted development that the proposed development would fall under. Accordingly, *the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* constitutes development, that is not exempted development within the meaning of the Planning and Development Act 2024.

Article 9

Having regard Article 9 of the Planning and Development Regulations 2001 (as amended), it is considered that the proposal does not meet all the criteria set out and conflicts with: -

- Article 9 (viiB) of the Planning and Development Regulations 2001, as amended, (the Regs) in that the Planning Authority, is unable to screen the proposal for Appropriate Assessment due to the lack of information pertaining to the sustainable management of surface water discharge and attenuation from the area to be covered with impermeable stone.

8.0 Recommendation

Having regard to the foregoing it is considered that *the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* as indicated on the submitted proposed site layout drawing received 27th May 2026 constitutes development within the meaning of section 2 of the Planning and Development Act (as amended) but does not fall within any class of exempted development and conflicts with Article 9 viiB therefore constitutes **development** that is **not exempted development**.

Accordingly, it is recommended that an order along the following lines is issued:-

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) as to whether *the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* is or is not development and is or is not exempted development

AND WHEREAS the said question was referred to Louth County Council by St Fechin's GAA, Beaulieu, Termonfeckin

AND WHEREAS Louth County Council in considering this application, had regard reference particularly to:

- (a) The definition of "development", in **Section 2 of the Planning and Development Act 2024** (as amended),
- (b) Specifically, the provisions under **Class 13, Class 33 and Class 37 of Part 1, Schedule 2** of the **Planning and Development Regulations 2001 (as amended)**,
- (c) **Articles 6 and 9** of the **Planning and Development Regulations 2001 (as amended)**
- (d) Planning history of the site
- (e) Plans and particulars forwarded to the Planning Authority

AND WHEREAS Louth County Council has concluded that on the basis of the information submitted that:

the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is considered to constitute "works" that **constitutes "development"** under Section 2 of the Planning and Development Act 2024 (as amended) but which does not come within the scope of any classes of development and the proposed development has not demonstrated that it will not give rise to significant adverse direct, indirect or secondary effects on the integrity of European Sites Boyne Estuary SPA and Boyne Coast and Estuary SAC either individually or in combination with other plans or projects and therefore is not exempt by virtue of Article 9 (viiB) and therefore is considered to be **development** that is **not exempted** development

NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the proposed *provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* at St Fechin's GAA, Beaulieu, Termonfeckin is **development** that is **not exempted development**.

Lisa Grant
Assistant Planner
Date: 12/06/2026

Turlough King
A/Senior Planner
Date: 17/06/2026

Thomas McEvoy
Director of Services
Date: 19/06/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	452/2026
Reference No:	S5 2026/37
Date Application Received:	27/05/2026
Description of Development:	Is the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is development and is it or is it not exempted development?
Name of Applicant:	St Fechin's GAA
Location of Development	St Fechin's GAA, Beaulieu, Termonfeckin, Co. Louth, A92 ET95

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) as to whether *the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* is or is not development and is or is not exempted development

AND WHEREAS the said question was referred to Louth County Council by St Fechin's GAA, Beaulieu, Termonfeckin

AND WHEREAS Louth County Council in considering this application, had regard reference particularly to:

- (a) The definition of "development", in Section 2 of the Planning and Development Act 2024 (as amended),
- (b) Specifically, the provisions under Class 13, Class 33 and Class 37 of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended),

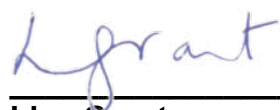
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (d) Planning history of the site
- (e) Plans and particulars forwarded to the Planning Authority

AND WHEREAS Louth County Council has concluded that on the basis of the information submitted that:

the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is considered to constitute “works” that constitutes “development” under Section 2 of the Planning and Development Act 2024 (as amended) but which does not come within the scope of any classes of development and the proposed development has not demonstrated that it will not give rise to significant adverse direct, indirect or secondary effects on the integrity of European Sites Boyne Estuary SPA and Boyne Coast and Estuary SAC either individually or in combination with other plans or projects and therefore is not exempt by virtue of Article 9 (viiB) and therefore is considered to be **development** that is **not exempted** development

NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the proposed *provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* at St Fechin's GAA, Beaulieu, Termonfeckin is **development** that is **not exempted development**.

SIGNED:



Lisa Grant
Assistant Planner

Date: 18/06/2026

ORDER:

In pursuance of the powers conferred upon the Council by the above Act, I concur with the above recommendation and hereby direct that a **Declaration of Exemption be REFUSED** for development as described above.

Signed:



Thomas McEvoy
Director of Service

Date: 19/06/2026

To whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001 by Order No. CE.S. 201/25 dated the 14th day of May 2025.



Comhairle Contae Lú
Louth County Council

St Fechin's GAA
c/o Mark Stephenson
Chairperson
St Fechins GAA
Beaulieu
Termonfeckin
Co Louth

19th June 2026

Re: Ref. S5 2026/37

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Is the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is development and is it or is it not exempted development.'

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 27th May 2026 in relation to the above. Having assessed all information and enclosures received with the application, the Planning Authority wishes to advise as follows: -

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) as to whether *the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* is or is not development and is or is not exempted development

AND WHEREAS the said question was referred to Louth County Council by St Fechin's GAA, Beaulieu, Termonfeckin

Comhairle Contae Lú
Halla an Bhaile
Sráid Crowe
Dún Dealgan
Contae Lú
A91 W20C

Louth County Council
Town Hall
Crowe Street
Dundalk
County Louth
A91 W20C

T + 353 42 9335457
E info@louthcoco.ie
W www.louthcoco.ie

Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome
Féach foláirimh faoi Lú ón gComhairle ag www.mapalerter.ie/Louth
View Council alerts for Louth at www.mapalerter.ie/Louth

AND WHEREAS Louth County Council in considering this application, had regard reference particularly to:

- (a) The definition of "development", in Section 2 of the Planning and Development Act 2024 (as amended),
- (b) Specifically, the provisions under Class 13, Class 33 and Class 37 of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended),
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (d) Planning history of the site
- (e) Plans and particulars forwarded to the Planning Authority

AND WHEREAS Louth County Council has concluded that on the basis of the information submitted that:

the provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose is considered to constitute "works" that constitutes "development" under Section 2 of the Planning and Development Act 2024 (as amended) but which does not come within the scope of any classes of development and the proposed development has not demonstrated that it will not give rise to significant adverse direct, indirect or secondary effects on the integrity of European Sites Boyne Estuary SPA and Boyne Coast and Estuary SAC either individually or in combination with other plans or projects and therefore is not exempt by virtue of Article 9 (viiB) and therefore is considered to be **development** that is **not exempted** development

NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the proposed *provision of aggregate stone (CI 6F2 and CI 804 or similar) in an existing grassed area used as an overflow car park during busy event days but less than 30 times per year to prevent skidding of wheels in wet conditions within the existing grounds of the GAA club and which is not used for any other purpose* at St Fechin's GAA, Beaulieu, Termonfeckin is **development** that is **not exempted development**.

In Summary

A Declaration of Exemption is hereby REFUSED for the works as detailed on the plans and particulars submitted on 27th May 2026.

This decision may be referred by you to An Coimisiún Pleanála for review within 4 weeks of the date of this letter subject to the payment of the appropriate fee.

Yours faithfully,

A handwritten signature in blue ink, reading "Brian Duffy".

Brian Duffy
Planning Section